



# HOUSE BILL 1802: ENR Reports Consol. / Tech. Corrects 2010

2009-2010 General Assembly

<b>Committee:</b>	House Environment and Natural Resources	<b>Date:</b>	July 14, 2010
<b>Introduced by:</b>	Reps. Harrison, Gibson, Tarleton, Underhill	<b>Prepared by:</b>	Jennifer Mundt
<b>Analysis of:</b>	Ratified		Legislative Analyst

**SUMMARY:** *House Bill 1802 would amend or repeal various environmental and natural resources reporting requirements and make clarifying, conforming, and technical amendments to various laws related to the environment, energy, and natural resources.*

*The provisions in the bill are recommendations of the Environmental Review Commission.*

[As introduced, this bill was identical to S1163, as introduced by Sen. Hartsell, which is currently in Senate Agriculture/Environment/Natural Resources.]

**BILL ANALYSIS:** House Bill 1802 would do the following:

## PART I: REPORTS CONSOLIDATION

**Section 1** would repeal a reporting requirement made obsolete by Section 15 of S.L. 2009-484, which repealed the requirement for each State department, institution, agency, community college, and local school administrative unit to report to the Division of Pollution Prevention and Environmental Assistance of the Department of Environment and Natural Resources (DENR) on the amounts and types of materials and supplies with recycled content that were purchased. Repealing G.S. 130A-309.06(c)(13) removes the requirement for the Division of Waste Management to include information from this report in the annual solid waste management report.

**Section 2** would require DENR to submit the mercury switch removal program annual report to the Fiscal Research Division of the General Assembly, in addition to the Environmental Review Commission (ERC) and the Senate and House of Representatives Appropriations Subcommittees on Natural and Economic Resources.

**Section 3** would require DENR to submit the Ecosystem Enhancement Program annual report to the Joint Legislative Commission on Governmental Operations (Gov Ops), in addition to the ERC and the Fiscal Research Division.

**Section 4** would specify the reporting date of the Special Zoo Fund annual report to October 1 and add an additional reporting requirement from DENR to Gov Ops, in addition to the Office of State Budget Management and the Fiscal Research Division.

**Section 5** would specify a reporting date of October 1 for the Advisory Commission for the North Carolina State Museum of Natural Sciences annual report and add an additional reporting requirement from the Commission to the Fiscal Research Division and Gov Ops, in addition to the General Assembly.

**Section 6** would amend the reporting requirement for the Environmental Management Commission (EMC) report on the desirability of requiring and the feasibility of obtaining reductions in emissions of oxides of nitrogen (NO<sub>x</sub>) and sulfur dioxide (SO<sub>2</sub>) beyond those required by G.S. 143-215.107D from annual to biennial, with the first report due on September 1, 2011. The change to biennial reporting was requested by Steve Smith, Chairman of the EMC.

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## PART II: TECHNICAL CORRECTIONS

**Section 7** would make conforming amendments to G.S. 114-4.2D to change the Department of Administration to the Department of Commerce and use gender neutral language. In 2009, the General Assembly transferred the Energy Policy Council and the Energy Efficiency Program from the Department of Administration to the Department of Commerce.

**Section 8** would amend the catch line of Article 19 of Chapter 120 of the General Statutes to read the "Agriculture and Forestry Awareness Study Commission."

**Section 9** would amend G.S. 120-150 to use gender-neutral language and amend that statute to correctly name the committees listed therein.

**Section 10** would amend an incorrect cross reference in G.S. 130A-309.10(l) regarding the prohibition on the disposal of oyster shells in landfills.

**Section 11** would amend G.S. 130A-309.12(b), which provides for the funding contributions that make up the Solid Waste Management Trust Fund, to conform to changes made to Articles 5B<sup>1</sup> and 5G<sup>2</sup> of Chapter 105 of the General Statutes in S.L. 2007-153 and S.L. 2007-550.

**Section 12** would amend an incorrect statutory reference in G.S. 130A-310.11(b) regarding the use of funds credited to the Inactive Hazardous Sites Cleanup Fund.

**Section 13** would amend G.S. 143-355.4(b) to correctly name the listed funds.

**Section 14** would make technical and conforming changes in G.S. 153B-2.

**Section 15** would make technical and conforming changes in G.S. 153B-3(d).

**Section 16** would amend G.S. 153B-4 to include gender-neutral language and make conforming changes.

**Section 17** would correct a cross reference in Section 3.(d) of S.L. 2005-190.

**EFFECTIVE DATE:** This act would become effective when it becomes law.

*Mariah Matheson, Research Assistant, substantially contributed to this summary.*

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<sup>1</sup> G.S. 105-187.19(b) provides that the Secretary of Revenue must credit 8% of the net tax proceeds of the Scrap Tire Disposal Tax to the Solid Waste Management Trust Fund.

<sup>2</sup> G.S. 105-187.63(3) provides that the Secretary of Revenue must credit or distribute 12.5% of the Solid Waste Disposal Taxes received to the Solid Waste Management Trust Fund.